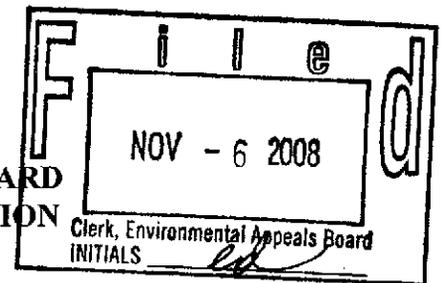


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION  
WASHINGTON, D.C.



In re: )  
Rocky Well Service, Inc. & )  
Edward J. Klockenkemper )  
)  
Docket No. SDWA-05-2001-002 )  
\_\_\_\_\_ )

SDWA Appeal Nos. 08-03 & 08-04<sup>1</sup>

**ORDER GRANTING REGION 5'S MOTION FOR EXTENSION OF TIME TO FILE  
RESPONSE TO APPEAL BRIEFS**

By motion dated November 4, 2008, U.S. Environmental Protection Agency, Region 5 ("Region") requests an extension of time to file its response to appeal brief filed by Rocky Well Service, Inc. ("RWS") and Edward J. Klockenkemper ("Klockenkemper") in the above-captioned matter. Appellee's Unopposed Motion for Extension of time to File Its Responses to Appellants'/Respondents' Appeal Briefs (Nov. 4, 2008) ("Motion"). RWS and Klockenkemper both filed their briefs on October 31, 2008, after we granted two filing extensions. Appellate Brief of Respondent Edward J. Klockenkemper (October 30, 2008) ("Klockenkemper Br."); Brief of Respondent Rocky Well Service, Inc. (October 30, 2008); Order Granting Joint Motion for Additional Extension of Time to File Appeal Brief (Oct. 1, 2008) (extending filing deadline to October 31, 2008); Order Granting Joint Motion for Extension of Time to File Appeal Brief (Aug. 12, 2008) (extending filing deadline to October 6, 2008). Pursuant to 40 C.F.R. § 22.30(a)(2), the Region's response to the appeal briefs is due November 20, 2008.

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<sup>1</sup> The Board has received two notices of appeal in connection with Docket No. SDWA 05-2001-002. The Board has designated Klockenkemper's appeal as SDWA Appeal No. 08-03. An appeal filed by Rocky Well Service, Inc. is designated as 08-04. Prior Board orders incorrectly stated the appeal numbers for this matter.

The Region now requests a sixty-day extension until January 21, 2009, to file its response brief. The Region states that additional time is requested so that may have "sufficient time to evaluate and address the issues raised by" RWS and Klockenkemper. Motion at 2. The Region further represents that RWS and Klockenkemper do not object to the requested extension of time. *Id.* at 2. We further note that Klockenkemper's brief consists of 221 pages. *See* Klockenkemper Br.

For good cause shown, the Board grants the Motion. Accordingly, the Region must file its response to the RWS and Klockenkemper briefs on or before January 21, 2009.

So ordered.

**ENVIRONMENTAL APPEALS BOARD**

Dated: November 6, 2008

By:   
Anna L. Wolgast  
Environmental Appeals Judge

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Region 5's Motion for Extension of Time to File Response to Appeal Briefs in the matter of *Rocky Well Service & E. J. Klockenkemper*, SDWA Appeal Nos. 08-03 & 08-04, were sent to the following persons in the manner indicated:

**By U.S. First Class Mail and Facsimile:**

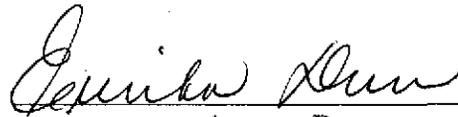
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Date: 11/6/2008



Annette Duncan  
Secretary